



objections has passed, but no party filed any objection. *See* ECF No. 49.

When a party files timely written objections to a magistrate judge's report and recommendation, the district judge must "make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b)(3). As to the unobjected-to portions of the magistrate judge's report or when a party does not file written objections, the district judge applies a "clearly erroneous, abuse of discretion and contrary to law" standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings."). Having carefully reviewed the Report and Recommendation, the Court concludes that the magistrate judge's findings, conclusions, and recommendation are not clearly erroneous or contrary to law.

Accordingly, **IT IS ORDERED** that Magistrate Judge Leon Schydlower's "Report and Recommendation of the Magistrate Judge to Dismiss This Lawsuit for Want of Prosecution" (ECF No. 47) is **ACCEPTED**.

**IT IS THEREFORE ORDERED** that Plaintiff's claims asserted against Defendants in the above-captioned case are **DISMISSED WITHOUT PREJUDICE**.

**IT IS MOREOVER ORDERED** that the District Clerk **SHALL CLOSE** this case and **MAIL** a copy of this Memorandum Order to Plaintiff Desert Fox Custom Restorations, Inc's owner Vincent Tangredi at 103 Metz Dr. #B, Ruidoso, New Mexico, 88345.

So ORDERED and SIGNED this 30th day of June 2020.

A handwritten signature in black ink, appearing to read "David C. Guaderrama", written over a horizontal line.

DAVID C. GUADERRAMA  
UNITED STATES DISTRICT JUDGE